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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,721	11/20/2003	Daniel R. Pavlik	P-20005.00	8711

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MEDTRONIC, INC.
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EXAMINER

JOHNSON, SHEVON ELIZABETH

ART UNIT	PAPER NUMBER
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3766

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/717,721

Applicant(s)

PAVLIK ET AL.

Examiner

Shevon E. Johnson

Art Unit

3766

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-25 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 8 and 10-12 is/are rejected.
- 7) ☒ Claim(s) 6, 9, 13 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7, 8 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bischoff et al. (U.S. Patent No. 6,016,436) in view of Hoff (U.S. Patent No. 5,522,872).

In regards to claim 1, Bischoff discloses the system substantially as claimed comprising: a component 128 including a surface and a groove 132 formed in the surface; a conductor 130 extending within the lead and including a portion positioned within the groove of the component (col. 2, line 67 – col. 3, line 7; col. 3, lines 46-60; figs. 2 and 3). Bischoff fails to disclose a resistance weld formed between the conductor and the component.

However, Hoff teaches a resistance weld formed between the portion of the conductor and the component (col. 17, lines 17-23).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Bischoff by incorporating resistance welding as taught by Hoff in order to provide an electrical connection between the conductor and the component.

In regards to claim 2, Bischoff discloses wherein the surface has a curved profile (col. 3; lines 46-60).

In regards to claim 3, Bischoff discloses wherein the component comprises a substantially tubular body and wherein the surface is an inner surface of the substantially tubular (col. 3, lines 46-60).

In regards to claim 4, Bischoff discloses wherein the surface of the component forms an outer diameter (col. 3, lines 46-60).

In regards to claim 5, Bischoff discloses wherein the surface of the component forms an inner diameter and the component further includes an outer electrode surface (col. 3, lines 46-60).

In regards to claim 7, Bischoff wherein the conductor is a cable (col. 1, lines 52-57).

In regards to claim 8, Bischoff wherein the conductor is a coil (col. 1, lines 52-57).

In regards to claim 10, Bischoff wherein the groove extends approximately transverse to a longitudinal axis of the component (col. 3, lines 46-60).

In regards to claim 11, Bischoff comprising: a component including a surface having a curved profile and a groove formed in the surface; a conductor extending within the component and including a portion positioned within the groove of the component, the groove spiraling about a portion of a circumference of the surface; and a resistance weld formed between the portion of the conductor and the component (col. 3, lines 46-60).

In regards to claim 12, Bischoff wherein the groove includes an approximately semi-circular cross-section (col. 3, lines 46-60).

Allowable Subject Matter

3. Claims 15-25 are allowed as stated in prior office action. Claims 6, 9, 13 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shevon Johnson whose telephone number is (571) 272-2010. The examiner can normally be reached on M-F (8 a.m. - 4:30 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shevon Johnson
Art Unit 3766


Robert Pezzuto
Supervisory Patent Examiner
Art Unit 3766